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ABSTRACT

Trinity University and the Federal Communications Commission (FCC) share many of the same ground rules; tolerance for diversity, willingness to change, and a guaranteed opportunity for competition in the marketplace of goods, services, and ideas. But a Presidential commission hanging on an office wall is not a hunting license to shape the communications industry to one's own desires. Like us, TV and radio broadcasters are engaged in the search for truth. The search is never a tidy and finite enterprise, and it's never complete. However the right of the broadcaster to present his version as he sees it is one of the strongest planks in the foundation of society. The role of the government and the public is to keep the players honest by scrutiny and criticism. The search for truth is worth a lifetime of dedication. (MG)

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COMMENCEMENT ADDRESS

by

DEAN BURCH, CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION

TRINITY UNIVERSITY

San Antonio, Texas
May 14, 1972

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Today represents a "first" in my professional life, and I want you to know that I will always wear Trinity's doctoral hood with a special sense of pride. I'm truly grateful for this sign that I must have been doing something right these last few years.

More important by far, so have all of you. I trust that families, faculty, trustees and benefactors will forgive me for saying it--but this day really belongs to the 500 of you who are candidates for degrees. Trinity is your institution. Each one of you has given it a major investment of time, effort and dedication. The precise return cannot yet be measured--but, at the very least, you hold lifetime equities in what clearly is one of this State's principal growth industries.

You, too, have a great deal to be proud of, and I salute you for having earned the full privileges of membership--as Jack Schneider and I have by co-optation--in the Trinity of Texas community.

Trinity <u>is</u> growing--which is another way of saying that Trinity is alive and well. It is building in the most literal sense of the word. But this community is also engaged in another, less tangible form of building; it is engaged in the search for truth. Admittedly, the phrase is trite, but the meaning is not. It is what the academic enterprise is really all about. Indeed, it's what the building--and the perpetuation--of a free society is all about.

The characteristic marks and groundrules of the academic enterprise are rather obvious. At a minimum, the list would have to include a multiplicity of avenues to the truth--diversity of viewpoints--openmindedness to new, untested and even outrageous ideas--cultivation of the critical faculties--a healthy skepticism--a certain degree of hierarchy but one based predominantly on maturity and merit--and sufficient elbow-room, always, for individual success <u>and</u> individual failure.

The academic enterprise properly guarantees everyone at least one roll of the dice (and even a second and third chance). It guarantees no one an assured outcome.

Nor, I would argue, does it assure the final and definitive attainment of the truth--but only that the search will continue and that it will build, increment by increment, from relative ignorance to relative wisdom. (You get a passing grade if you detect shades of Socrates in such a formulation. Honorary degree or no honorary degree, I can't improve on his definition of the wise man as one, in effect, who comes to know the depths of his own abysmal ignorance--and carries on the search in that certain knowledge.)

I doubt that it's necessary to demonstrate, point-for-point, the analogy between these academic groundrules and the processes by which a free society governs itself. To cite but one critical aspect--both the free academy and the free society put their ultimate reliance on the individual, and on his willingness to abide by the groundrules and to work within the process.

And just as the Trinity community is engaged in the search for truth in the abstract, it seems to me that the national community is engaged in a similar search for sound public policy--for pragmatic, workable truth. Like the academic, the policy process is incremental; perfect social justice is never achieved in a day or a week or even a lifetime, if indeed it is achievable at all. Again like the academic, the policy process in a free society is marked by tolerance for diversity, willingness to change, and a guaranteed opportunity to compete in the marketplace of goods, services and ideas. Success, to repeat, <u>not</u> guaranteed.

Now, what does all this have to do with my particular bag--which is Federal regulation of the systems of communications? For that matter, what does it have to do with communications in general?

From my perspective as Chairman of the Federal Communications Commission, I have attempted from day one to make these general groundrules my own. We deal at the Commission with certain of the private institutions of a free society. We mediate among competing institutions. And we serve as special pleaders for the public interest with regard to the services that these institutions deliver.

But the Presidential commission that hangs on my wall is not a hunting license. It confers no arbitrary power on me to reshape these communications systems into something that comes closer to my own desires--nor, of course, should it do so.

What it does do is impose a positive obligation on me to apply the groundrules of a free, open and democratic society to the private--though regulated--institutions within our jurisdiction, and to serve as a neutral referee when disputes arise. Taking both obligations together, you have a shorthand definition of the Commission's public interest role.

From a broader perspective--one that Jack Schneider and I both share--the analogy to the world of communications is closer still. The broadcast media, radio and television, are engaged in their own version of the search for truth. (I'm excluding the print media because, of course, they are not regulated industries. Insofar as they follow any general groundrules at all, it is almost wholly a matter of self-regulation. Which leads me to wonder sometimes if newspapers and magazines don't tend to be over-righteous about their protected status and a shade smug and sanctimonious in their critiques of broadcasting. They have no fairness doctrine or personal attack rules or access demands to contend with--but in my book they have the same obligation as the broadcast media to serve as responsible public trustees. But this line of thought gets us into very deep waters. And I do have a plane to catch before midnight.)

When I speak of the broadcast media as being engaged in their own version of the search for truth, my particular focus is broadcast journalism and public affairs coverage--and, let me grant from the start, their job is incredibly difficult. They never have the luxury of a university's relatively measured pace; they operate against deadlines. And they live in a fishbowl. Tens of millions of listeners and viewers, each with his own built-in prejudices and preferences, are second-guessing every journalistic judgment they make.

Out of a maze of fragments (with some fragments always missing) the broadcast journalist attempts to piece together an approximation of the real world. And, with apologies to Walter Cronkite, any one man's or any one network's version of the truth is never quite "the way it is"--any more than the New York Times's version is "all the news that's fit to print". I recall one recent edition of the CBS Evening News (the way it was on May 1st, 1972) in which another Vietnamese provincial town was totally cut off by the NVA and its garrison doomed. That was "the truth" as of seven p.m. Eastern Daylight Time. By seven a.m. next day, according to the CBS Morning News, the garrison troops had broken out and were retreating to the south. Same troops. Same network. Different fragments of reality.

On that same May 1st edition of the Evening News--through just this one observer's eyes, to be sure--some complex issues that seemed to cry out for in-depth treatment were reduced to 30-second spots. And the line between reporting and editorializing wasn't always as clear as I might have liked it to be.

My point is simply that in terms of a particular show or one station's overall programming, your editorial judgment or mine might seem to be superior to the broadcaster's--might seem that way to you or me. But that is not the way our broadcast system is run, any more than our academic system consists of nothing but Trinities or our political system nothing but Republicans (however attractive one might find that state of affairs).

By diversifying ownership and control, we seek a system wherein no single voice and no single judgment dominates the mass communications media. By holding each broadcast licensee responsible for performance in the public interest, we spread the burdens around and minimize the "bad apple" effect. And by limiting governmental intrusion to sideline refereeing, we guard against the deadly implications of political control--which would eradicate disease by the simple expedient of killing all the patients.

In the last analysis, we keep all the players honest by recourse to scrutiny and criticism. As it should and must, this running critique comes from within the broadcast fraternity itself, from such allied industries as the print media, from public officials (yes, even the Vice President has the right to criticize and perhaps the duty to do so), and it comes from the public at large. Whatever the source, criticism implies no threat to free broadcast journalism. It operates as a safety-valve. Its function is to see to it that the journalist lives up to his own highest professional standards. And--who knows--he may even learn something from it.

Granted, there are risks involved in running a communications system by libertarian groundrules. Some broadcasters are obviously excellent, some are barely passable, and most of them fall somewhere in between. But the same rule holds for newspapers, or universitites, or public officials, or graduating seniors--because, when all is said, these are the risks of freedom.

I would stretch Winston Churchill's classic defense of free government to fit our communications system: there is not very much to be said for it--except that it is superior to any existing or conceivable alternative. With all its virtues and all its defects, it is the only communications system that squares with the hallmarks of a free society.

There are alternatives of course. We could go the route of outright political control--and invite the dead hand of total conformity. Or we could repeal all the groundrules, fire the referee--and invite the chaos of total anarchy. For myself, I'll stick with the unique hybrid--private entities invested with a public trust--that has grown up to serve and to reflect our American society.

I've suggested that there are risks involved in free communications and in freedom itself. There also is a quality of uncertainty that pervades all the institutions of a free society. The search for truth--if you accept its validity as a metaphor--is not some tidy, finite enterprise, with a clear beginning and middle and end. It is a process. And it never is complete.

But, whatever the risks and uncertainties, it is worth a lifetime of dedication--in our universities, in our communications systems, in society as a whole. Indeed, the search for truth stands as a metaphor for human existence, as it is pursued by men and women willing to contend with the burdens and the opportunities of freedom.

John Gardner once expressed roughly the same thought in a particularly eloquent way. He wrote these words:

> A nation is never finished. You can't just build it and then leave it at that. It has to be recreated in each generation by believing, caring men and women. It is now our turn. If we don't believe or don't care, nothing can save the nation. If we believe and care, nothing can stop us.

To the Class of '72--I wish you well. I won't say "good luck" because, with this institution as part of your lives, you have a great deal more than luck going for you. To you and to Trinity--God speed and prosperous voyage.

Thank you for letting me share this day with you.